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APR 08 2004

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PATENT

FACSIMILE TRANSMITTAL LETTER

Attorney Docket No.	Serial No.
151P08035US01	09/364,967

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450TOTAL NO. OF PAGES: 30
Sent to Facsimile No.: 703/872-9306
Examiner Phone No.: 703/305-0851

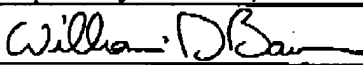
In re Application of:	Kevin J. Kelly et al.		
Serial No.:	09/364,967	Examiner:	Tsai, Carol S W
Confirmation No.:	1149	Art Unit:	2857
Filed:	July 31, 1999		
For:	DEVICE AND METHOD FOR DETERMINING AND COMMUNICATING THE REMAINING LIFE OF A BATTERY IN AN IMPLANTABLE NEUROLOGICAL TISSUE STIMULATING DEVICE		

We are transmitting the following documents:

Facsimile Transmittal Letter [1 page]
Fcc Transmittal for FY 2004 [1 page]
Petition for Extension of Time [1 page]
Amendment [27 pages]

Please charge Deposit Account 50-0549 for any fees under 37 CFR §1.16 and §1.17 that may be required during the pendency of this application. This authorization includes the fee for any extension of time under 37 CFR §1.136(a) that may be necessary. To the extent any such extension should become necessary it is hereby requested.

Respectfully submitted,

Registration No. 28,052	Direct Dial 612-331-7405	
Date: April 8, 2004		William D. Bauer

United States Patent and Trademark Office

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Nancy E. Ruth

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 340**Complete if Known**

Application Number	09/364,967
Filing Date	July 31, 1999
First Named Inventor	Kevin J. Kelly
Examiner Name	Tsai, Carol S W
Art Unit	2857
Attorney Docket No.	151P08035US01

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
500549Deposit Account Name
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☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
47	-30** = 8	x 18	= 144
Independent Claims: 4	-3** = 1	x 86	= 86
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 280	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 230

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	110
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 110**SUBMITTED BY**

Name (Print/Type)	William D. Bauer	Registration No. (Attorney/Agent)	28,052	Telephone	612-331-7405
Signature		Date	April 8, 2004		

(Complete if applicable)

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kevin J. Kelly et al.	Examiner:	Tsai, Carol S W
Serial No.:	09/364,967	Group Art Unit:	2857
Filed:	July 31, 1999	Confirmation No.:	1149
Docket No.:	151P08035US01		
Title:	DEVICE AND METHOD FOR DETERMINING AND COMMUNICATING THE REMAINING LIFE OF A BATTERY IN AN IMPLANTABLE NEUROLOGICAL TISSUE STIMULATING DEVICE		


AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

In response to an Office Action mailed December 12, 2003, carrying a shortened statutory period of response which is currently set to expire on April 12, 2004 (having been extended one (1) month), please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 12 of this paper.

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To Facsimile Number 703/872-9306	Signature 
Date April 8, 2004	William D. Bauer Reg. No. 28,052